

REMARKS

Claims 1-3 and 12-13 have been amended to clarify what is applicant's claimed invention and are not meant to change the intended scope of the claims. Claims 1-16 are pending in this application.

Claims 2 and 12-13 were rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent No. 5,520,777 (Shisko). Claims 1, 3, 5-6 and 9-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shisko. Claims 1-3, 5-6 and 9-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,582,648 (Reif). Claims 7-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shisko or Reif in view of U.S. Patent No. 3,969,459 (Fremont). Claims 9-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shisko or Reif in view of U.S. Patent No. 2,773,790 (Clark). Claims 4 and 14-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shisko or Reif in view of U.S. Patent No. 3,011,938 (Chapman).

Applicant respectfully submits that the independent claims (claims 1-3 and 12-13) are patentable over Shisko, Reif, Fremont, Clark and Chapman.

Applicant's invention, as recited in amended claim 1, is directed toward a process for production of wood material bodies having one or more layers of strands wetted with a binding agent system. The claim recites that the binding agent system has thermosettingly hardening components including "a first thermosettingly curing binding agent and a second thermosettingly hardening binding agent which cures at at least one of higher temperature and higher pressure conditions than the first thermosetting binding agent." (emphasis added). The claim requires, in a first stage, pressing of strands wetted with the binding agents under first temperature and pressure conditions that

allow "only partial curing" of the first agent "to produce a shapeable wood material body." (emphasis added). Claim 1 further requires, in a second stage, pressing "the shapeable wood material body produced in the first stage into a predetermined shape" under temperature and pressure conditions that allow final curing of the first and second agents. (emphasis added). Independent claims 2-3 and 12-13 include recitations similar to those of independent claim 1 described above.

Accordingly, in the claimed invention, strands wetted with different first and second thermosetting curing binding agents, the second agent curing at higher temperature and pressure conditions than the first agent, may be pressed under first temperature and pressure conditions to produce a shapeable wood material body in which the first agent is only partially cured, and the shapeable wood material body may be pressed into a predetermined shape under second temperature and pressure conditions that allow final curing of the first and second agents. As discussed in the application, the use of the two different binding agents that cure at different temperature and pressure conditions, as required by the claimed invention, advantageously provides that a shapeable wood material body, such as an oriented strand board, may be produced, and then be subsequently shaped into a predetermined shape during a final curing of the two agents at higher temperature and pressure conditions than present when the shapeable body is produced. (See specification, for example, at pg. 5, ln. 14-31 and pg. 8, ln. 30-pg. 9, ln. 3). Based on the presence of the two different agents, in the final curing the physical properties of the body are substantially retained and the shapeable body has sufficient elasticity to be shaped into the predetermined shape without breaking. (See specification, for example, pg. 6, ln. 4-23).

In contrast to the claimed invention, the applied portions of Shisko appear to use a single resin (binder) with wood materials that is pre-cured at a first temperature and then post-cured at a second temperature. Shisko does not appear to disclose using different first and second binder agents, and that the wood material body obtained after curing under first temperature and pressure conditions, which results in the first agent being only partially cured, is shapeable into a predetermined shape during final curing of the second agent and the only partially cured first agent, as required by the claimed invention.

Reif appears to disclose pressing "to accomplish partial hardening (pre-hardening) for shape stabilization," so as to produce a rigid, non-shapeable panel 58. (emphasis added, see Reif Col. 12, ln. 19-27 and FIG. 7). The applied portions of Reif, however, do not appear to disclose using different first and second binding agents to produce a wood material body which is shapeable into a predetermined shape during final curing and in which the first agent is only partially cured, as required by the claimed invention.

Accordingly, Applicant believes that claims 1-3 and 12-13 are patentable over Shisko or Reif as applied by the Examiner for at least the above reasons.

Claims 4-6, 9-11 and 14-16 depend from one of the independent claims. As a result, claims 4-6, 9-11 and 14-16 are distinguishable from Shisko or Reif as applied by the Examiner for at least the reasons previously described. In addition, the Examiner does not appear to rely on Fremont, Clark and Chapman to overcome the above-described deficiencies of Shisko or Reif. Accordingly, it is also respectfully submitted that dependent claims 4-6, 9-11 and 14-16 are distinguishable from the combination of Shisko or Reif with Fremont, Clark or Chapman as applied by the

Examiner for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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